

James H.M. Sprayregen, P.C.  
Brian S. Lennon  
KIRKLAND & ELLIS LLP  
601 Lexington Avenue  
New York, New York 10022-4611  
Telephone: (212) 446-4800  
Facsimile: (212) 446-4900

- and -

Anup Sathy, P.C. (*pro hac vice* pending)  
Ray C. Schrock (*pro hac vice* pending)  
KIRKLAND & ELLIS LLP  
300 North LaSalle  
Chicago, Illinois 60654  
Telephone: (312) 862-2000  
Facsimile: (312) 862-2200

Proposed Counsel to the Debtors and Debtors in  
Possession

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

---

In re:

NEFF CORP., et al.,<sup>1</sup>

Debtors.

---

)  
) Chapter 11  
)

) Case No. 10-12607 (SCC)  
)

) Joint Administration Requested  
)  
)

---

**AGENDA FOR FIRST DAY HEARING**

---

---

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Neff Holdings LLC (0571); Neff Corp. (6400); Neff Finance Corp. (3639); Neff Holdings Corp. (0431); Neff Rental, Inc. (0403); and Neff Rental LLC (3649). The location of the Debtors' corporate headquarters and the service address for all the Debtors except Neff Holdings LLC is: 3750 N.W. 87th Ave., Suite 400, Miami, Florida 33178. The service address for Neff Holdings LLC is: 375 Park Avenue, New York, New York 10152.

Time and Date of Hearing: **May 17, 2010 at 2:30 p.m.** (Prevailing Eastern Time)

Location of Hearing: The Honorable Shelley C. Chapman  
Courtroom No. 610  
United States Bankruptcy Court for the Southern District of New York  
Alexander Hamilton Custom House  
One Bowling Green  
New York, New York 10004-1408

Copies of Motions: A copy of each pleading can be viewed on the Court's website at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov) and at the website of the Debtors' proposed notice and claims agent, Kurtzman Carson Consultants LLC ("KCC"), at [www.kccllc.net/neff](http://www.kccllc.net/neff). Further information may be obtained by calling KCC at (877) 499-4518.

### **Matters Requested to Be Heard at First Day Hearing**

#### **I. Introduction**

- A. First Day Declaration. Declaration of Mark Irion (A) In Support of Debtors' Chapter 11 Petitions and First Day Motions and (B) Pursuant to Local Bankruptcy Rule 1007-2 (Docket No. 32).
- B. Plan. Debtors' Joint Plan Pursuant to Chapter 11 of the Bankruptcy Code (Docket No. 4).
- C. Disclosure Statement. Disclosure Statement for the Debtors' Joint Plan Pursuant to Chapter 11 of the Bankruptcy Code (Docket No. 25).
- D. Joint Administration. Motion of the Debtors for Entry of an Order Directing Joint Administration of the Debtors' Chapter 11 Cases (Docket No. 2).

#### **II. Financing Motions**

- A. Cash Collateral/DIP Financing. Motion of the Debtors for Entry of Interim and Final Orders (A) Authorizing the Debtors to Obtain Postpetition Financing and Letters of Credit, and to Use Cash Collateral, (B) Granting Adequate Protection to Prepetition Secured Lenders, (C) Scheduling a Final Hearing, and (D) Granting Related Relief (Docket No. 24).
- B. Cash Management. Motion of the Debtors for Entry of Interim and Final Orders Authorizing the Debtors to Continue Using Their Existing Cash Management System, Bank Accounts, Business Forms, and Granting Related Relief (Docket No. 3).

### **III. Procedural Motions**

- A. Claims Agent Retention. Application of the Debtors for Entry of an Order Authorizing the Employment and Retention of Kurtzman Carson Consultants LLC as Notice and Claims Agent (Docket No. 5).
- B. Creditors Matrix. Motion of the Debtors for Authority to (A) Prepare a List of Creditors in Lieu of Submitting a Formatted Mailing Matrix, (B) File a Consolidated List of the Debtors' 30 Largest Unsecured Creditors, and (C) Mail Initial Notices (Docket No. 6).
- C. Case Management Procedures. Motion of the Debtors for Entry of an Order Establishing Certain Notice, Case Management, and Administrative Procedures (Docket No. 7).

### **IV. Operational Motions**

- A. 503(b)(9), Lien, and Trade Claims. Motion of the Debtors for Entry of Interim and Final Orders Authorizing the Payment of Prepetition Section 503(b)(9) Claims, Lien Claims, and Critical Vendor Claims (Docket No. 17).
- B. Customer Programs. Motion of the Debtors for Entry of Interim and Final Orders Authorizing the Debtors to Honor Prepetition Obligations to Customers and to Continue Rental Programs in the Ordinary Course of Business (Docket No. 12).
- C. Taxes. Motion of the Debtors for Entry of Interim and Final Orders Authorizing the Debtors to Pay Certain Prepetition Taxes and Fees and Granting Related Relief (Docket No. 10).
- D. Wages. Motion of the Debtors for Entry of Interim and Final Orders Authorizing the Debtors to (A) Pay Certain Prepetition Wages, Salaries, and Reimbursable Employee Expenses, (B) Pay and Honor Employee Medical and Similar Benefits, and (C) Continue Employee Compensation and Employee Benefit Programs in the Ordinary Course of Business and Granting Related Relief (Docket No. 8).
- E. NOL/Equity Trading. Motion of the Debtors for the Entry of an Order Establishing Notification and Hearing Procedures for Transfers of, or Claims of Worthlessness With Respect to, Certain Equity Securities, and for Related Relief (Docket No. 23).

### **Matters Requested To Be Scheduled For Future Hearing**

### **V. Operational Motions**

- A. Contract Rejection. Motion of the Debtors for Entry of an Order Authorizing the Debtors to Reject Certain Executory Contracts and Unexpired Leases Effective *Nunc Pro Tunc* to the Petition Date (Docket No. 16).

## VI. Retention Applications

- A. K&E Retention. Application of the Debtors for Entry of an Order Authorizing the Employment and Retention of Kirkland & Ellis LLP as Attorneys for the Debtors and Debtors in Possession Effective *Nunc Pro Tunc* to the Petition Date (Docket No. 9).
- B. Miller Buckfire Retention. Application of the Debtors for Entry of an Order Authorizing the Employment and Retention of Miller Buckfire & Co., LLC as Investment Banker and Financial Advisor to the Debtors and Debtors in Possession Effective *Nunc Pro Tunc* to the Petition Date (Docket No. 14).
- C. AlixPartners Retention. Application of the Debtors for Entry of an Order Authorizing the Employment and Retention of AlixPartners, LLP as Restructuring Advisor for the Debtors and Debtors in Possession Effective *Nunc Pro Tunc* To the Petition Date (Docket No. 13).
- D. Deloitte Tax Retention. Application of the Debtors for Entry of an Order Authorizing the Employment and Retention of Deloitte Tax LLP as Tax Advisors to the Debtors and Debtors in Possession Effective *Nunc Pro Tunc* to the Petition Date (Docket No. TBD).
- E. Deloitte & Touche Retention. Application of the Debtors for Entry of an Order Authorizing the Employment and Retention of Deloitte & Touche LLP as Independent Auditors to the Debtors and Debtors in Possession Effective *Nunc Pro Tunc* to the Petition Date (Docket No. TBD).
- F. Hilco Retention. Application of the Debtors for Entry of an Order Authorizing the Employment and Retention of Hilco Real Estate, LLC as Real Estate Advisors to the Debtors and Debtors in Possession Effective *Nunc Pro Tunc* to the Petition Date (Docket No. TBD).
- G. Togut Retention. Application of the Debtors Pursuant to Section 327(a) of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 2014(a) for an Order Approving the Retention of Togut, Segal & Segal LLP as Conflicts Counsel to Debtors and Debtors in Possession (Docket No. 11).
- H. Ordinary Course Professionals. Motion of the Debtors for Entry of an Order Authorizing the Retention and Compensation of Certain Professionals Utilized in the Ordinary Course of Business (Docket No. 22).
- I. Interim Compensation Procedures. Motion of the Debtors for Entry of an Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals and Members of Official Committees (Docket No. 20).

## **VII. Procedural Motions**

- A. Utilities. Motion of the Debtors for Entry of a Final Order Determining Adequate Assurance of Payment for Future Utility Services (Docket No. 19).
- B. Claims Bar Date. Motion of the Debtors for Entry of an Order (A) Establishing the Deadline for Filing Proofs of Claim and Requests for Payment Under Section 503(b)(9) of the Bankruptcy Code, (B) Approving Procedures for Filing Proofs of Claim and Requests for Payment, and (C) Approving the Form and Manner of Notice Thereof (Docket No. 21).
- C. Expedited Contract Rejection Procedures. Motion of the Debtors for Entry of an Order Authorizing and Approving Expedited Procedures to Reject or Assume Executory Contracts and Unexpired Leases (Docket No. 15).

## **VIII. Plan-Related Matters**

- A. Disclosure Statement Motion. Motion of the Debtors for Entry of an Order Approving the Debtors' Disclosure Statement and Granting Related Relief (Docket No. 33).
- B. Plan Supplement. Supplement to Debtors' Joint Plan Pursuant to Chapter 11 of the United States Bankruptcy Code (Docket No. 34).

## **IX. Final Hearing**

- A. Cash Collateral/DIP Financing. Final Order (A) Authorizing the Debtors to Obtain Postpetition Financing and Letters of Credit, and to Use Cash Collateral, (B) Granting Adequate Protection to Prepetition Secured Lenders, (C) Scheduling a Final Hearing, and (D) Granting Related Relief (Docket No. 24).
- B. Cash Management. Final Order Authorizing the Debtors to Continue Using Their Existing Cash Management System, Bank Accounts, Business Forms, and Granting Related Relief (Docket No. 3).
- C. Wages. Final Order Authorizing the Debtors to (A) Pay Certain Prepetition Wages, Salaries, and Reimbursable Employee Expenses, (B) Pay and Honor Employee Medical and Similar Benefits, and (C) Continue Employee Compensation and Employee Benefit Programs in the Ordinary Course of Business and Granting Related Relief (Docket No. 8).
- D. Customer Programs. Final Order Authorizing the Debtors to Honor Prepetition Obligations to Customers and to Continue Rental Programs in the Ordinary Course of Business (Docket No. 12).
- E. Taxes. Final Order Authorizing the Debtors to Pay Certain Prepetition Taxes and Fees and Granting Related Relief (Docket No. 10).

- F. Trade Claims. Final Order Authorizing the Payment of Prepetition Section 503(b)(9) Claims, Lien Claims, and Critical Vendor Claims (Docket No. 17).

New York, New York  
Dated: May 17, 2010

/s/ Brian S. Lennon

James H.M. Sprayregen, P.C.  
Brian S. Lennon  
KIRKLAND & ELLIS LLP  
601 Lexington Avenue  
New York, New York 10022-4611  
Telephone: (212) 446-4800  
Facsimile: (212) 446-4900

- and -

Anup Sathy, P.C. (*pro hac vice* pending)  
Ray C. Schrock (*pro hac vice* pending)  
KIRKLAND & ELLIS LLP  
300 North LaSalle  
Chicago, Illinois 60654  
Telephone: (312) 862-2000  
Facsimile: (312) 862-2200

Proposed Counsel to the Debtors and Debtors in  
Possession